

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

SIOUX FALLS PIZZA COMPANY, INC.,
a South Dakota Corporation f/k/a
PINNACLE PIZZA, INC., a South Dakota
Corporation,

Plaintiff,

vs.

LITTLE CAESAR ENTERPRISES, INC.,
a Michigan Corporation,

Defendant.

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CIV 11-4047-RAL

JUDGMENT OF
DISMISSAL

On March 14, 2012, this Court entered an Opinion and Order Concerning Cross-Motions for Summary Judgment (Doc. 58), granting in part summary judgment to each party and ordering the parties to notify this Court of any remaining issues based on claims in Count III of the Amended Complaint. This Court, upon several joint motions, extended the time for the parties to notify the Court of any remaining issues under Count III for this Court to address. On June 8, 2012, the parties filed a Joint Motion to Dismiss With Prejudice and Without Costs as to Count III of the Amended Complaint (Doc. 70). Based on the request of the parties and based on the Opinion and Order dated March 14, 2012, it is hereby

ORDERED, ADJUDGED AND DECREED that Judgment for Plaintiff enters on Count II only of the Amended Complaint, and that Judgment of Dismissal hereby enters under Rules 54, 56, and 58 of the Federal Rules of Civil Procedure consistent with the Opinion and Order dated March 14, 2012, and the Joint Motion of the parties on Counts I and III of the Amended Complaint, resulting in dismissal with prejudice of this case and without taxation of costs to any party.

Dated June 11, 2012.

BY THE COURT:

/s/ Roberto A. Lange

ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE